
**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH**

**MICHAEL MARTIN, on behalf of MARVEL
MARTIN,**

Plaintiff,

v.

HILTON,

Defendant.

**ORDER AFFIRMING AND ADOPTING
REPORT & RECOMMENDATION**

Case No. 2:24CV0748-DAK-DBP

Judge Dale A. Kimball

Magistrate Judge Dustin B. Pead

This case was assigned to United States District Court Judge Dale A. Kimball, who referred the case to United States Magistrate Judge Dustin B. Pead under 28 U.S.C. § 636(b)(1)(B). On January 6, 2025, the Magistrate Judge entered a Report and Recommendation, recommending that the court dismiss Plaintiff's Complaint for failure to state a claim.¹ The Magistrate Judge had previously given Mr. Martin an opportunity to amend his Complaint, but Mr. Martin did not file an amended pleading.²

The Report and Recommendation notified the parties that any objection to the Report and Recommendation must be filed within fourteen days of being served with a copy of the Report and Recommendation. The court has not received any objections, but the court today received a "Motion for Joinder of Required Parties" from Mr. Martin, stating that "[a]ll NAME(s) must be joined to an amended Complaint AND all other names are required in every pleading of

¹ ECF No. 8.

² See ECF Nos. 6, 8.

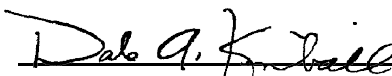
multi-plaintiff and defendant filing(s).³ Mr. Martin goes on to request “[p]ermission for interlocutory appeal to supreme court for issues of original jurisdiction involving officer of state and federal government.”⁴ To the extent Mr. Martin seeks to have other parties joined, it is unclear to the court what he seeks, and motion is therefore denied. To the extent he seeks leave to file an interlocutory appeal, the motion is denied.

“In the absence of timely objection, the district court may review a magistrate [judge's] report under any standard it deems appropriate.” *Summers v. Utah*, 927 F.2d 1165, 1167 (10th Cir. 1991); *see also Thomas v. Arn*, 474 U.S. 140, 150, (1985) (“It does not appear that Congress intended to require district court review of a magistrate's factual or legal conclusions, under a de novo or any other standard, when neither party objects to those findings”). The court is satisfied that Judge Pead’s Recommendation is sound and that there is no clear error on the face of the record. *See* Fed. R. Civ. P. 72(a).

Accordingly, the court AFFIRMS and ADOPTS Magistrate Judge Pead’s Report and Recommendation [ECF No. 8] in its entirety. Plaintiff’s Motion for Joinder [ECF NO. 9] is DENIED. This action is therefore DISMISSED for failure to state a claim.

DATED this 27th day of January 2025.

BY THE COURT:


DALE A. KIMBALL
United States District Judge

³ ECF No. 9 at 1.

⁴ *Id.* at 2.